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10/567,650

04/17/2006

Karin Scherer

0579-1117

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466 7590 06/10/2010
YOUNG & THOMPSON
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EXAMINER

PADGETT, MARIANNE L

ART UNIT

PAPER NUMBER

1715

NOTIFICATION DATE

DELIVERY MODE

06/10/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/567,650

Examiner

MARIANNE L. PADGETT

Applicant(s)

SCHERER ET AL.

Art Unit

1715

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 09 March 2010 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
See Continuation Sheet

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Marianne L. Padgett/
Primary Examiner, Art Unit 1715

Continuation of 1(c) Other:

The directions for the entry of the heading -- What is claimed is: -- recite the wrong page, as the claims began on page 10 of the original specification, not on page 9.

The rest of the amendments to the specification appear to have correct instructions.

Continuation of 5 Other:

While reviewing the claims, the examiner noted the following noncompliance issues applicants may wish to consider:

(1) the need to consider scope of "fluorocarbons" (e.g. organic &/or inorganic, fluorocarbons containing other atoms, such as H, O, N, Si, etc.) & whether support for the range of refractive indexes of such scope was present, noting new claim 21's range of $n = 1.35-1.39$ is not supported by the two examples $n = 1.35$ for PTFE at 630 nm (page 1, background) & amorphous fluorocarbon layer deposited by a specific techniques from specific materials having n on the order of 1.39 at 600 nm (page 9);

(2); that dependent claim 5, still lacks a clear relationship between the gas compounds claimed therein & claims 1 & 4 from which it depends;

(3) claim 17 now appears to be identical to claim 3 (if this is corrected review dependence of claim 19).

/MLP/dictation software

6/5/2010